

Draft Order

of the Bar Harbor Town Council

for the June 14, 2022 Town Meeting

It is hereby ordered that the following article be placed on the annual town meeting warrant with voting thereon to be held by Australian ballot.

WARRANT ARTICLE

Article XX LAND USE ORDINANCE AMENDMENT – Removal of the Two-thirds Majority Vote Requirement to Amend the Land Use Ordinance– Shall an ordinance, dated November 19, 2022, and entitled “An amendment to **remove the two-thirds majority vote requirement to amend the Land Use Ordinance;**” be enacted?

REMOVAL OF THE TWO-THIRDS MAJORITY VOTE REQUIREMENT

This amendment provides that a simple majority vote at Town Meeting is required to adopt a proposed amendment to the Land Use Ordinance, regardless of whether or not the Planning Board votes to recommend the amendment.

EXPLANATION

Currently, following consideration of a proposed amendment to the Land Use Ordinance at a public hearing, the Planning Board is required, by majority vote, to recommend for or against the adoption of the amendment. If the Planning Board recommends against adoption, a two-thirds majority vote at Town Meeting is required to adopt the amendment. If the Planning Board recommends adoption, then a simple majority vote at Town Meeting is required to adopt the amendment.

Under the proposed amendment, all amendments to the Land Use Ordinance require a simple majority vote at Town Meeting, regardless of the Planning Board’s recommendation.

An amendment to Article I

The Town of Bar Harbor hereby ordains that Chapter 125 of the Town Code is amended as follows:

[Please Note: Old language is ~~stricken~~. New language is underlined.]

Chapter 125 , LAND USE ORDINANCE

Article I General Provisions

§ 125-9 Amendment.

E. ~~If the Planning Board recommends a proposed amendment, s~~Such amendment may be adopted by a majority vote at a duly constituted Town Meeting. ~~If the Planning Board does not recommend a proposed amendment, such amendment may be adopted only by a two-thirds majority vote at a duly constituted Town Meeting.~~

Given under our hands and seal at Bar Harbor this **XXXX** day of **XXXX**, 2022:

Municipal Officers of the Town of Bar Harbor	
_____ Jefferson Dobbs, Chair	_____ Matthew A. Hochman, Vice Chair
_____ Gary Friedmann	_____ Joseph Minutolo
_____ Valerie Peacock	_____ Erin E. Cough
_____ Jill Goldthwait	